

## **General Guidance for Reporting Discipline Data**

### **2013-14 Collection – Updated 1/15/14**

#### **About the data**

The Discipline Collection provides the Rhode Island Department of Education (RIDE) with information about disciplinary infractions that result in any of the following (collectively referred to as “suspensions” or “removals”):

1. Out-of-school suspension – temporary removal of a student from school for one or more days for disciplinary reasons
2. In-school suspension – temporary removal of a student from the regular classroom for one or more days for disciplinary reasons, including most alternative education programs
3. Interim Alternative Educational Setting (IAES) – placement of a student with a disability in an alternative setting for a serious disciplinary infraction – by school personnel or by a hearing officer

#### **How the data are used**

These data are used for:

- Several federal reports,
- State reporting, including InfoWorks,
- Populate Race to the Top data systems, and
- Determine compliance with federal special education law by identifying districts with discrepancies in the rates of short- and long-term suspensions for students with disabilities, and for decisions regarding a district’s use of funds. Federal special education law requires RIDE to examine rates of suspensions by race/ethnicity. Based upon this data, districts may be required to:
  - (1) Review and revise policies, procedures, and practices,
  - (2) Reserve 15% of IDEA funds for coordinated early intervening services, and
  - (3) Publicly report on the revision of policies, procedures, and practices.

#### **New this year**

The following changes occurred this year:

1. Missing/Unknown was eliminated as a value for the Infraction and Discipline fields.
2. Other was eliminated as a value for the Infraction and Weapon fields.
3. The Trespassing value for the Infraction field was renamed Trespassing/Restricted Area.

4. The Reason field was changed from conditional to optional.
5. Names and definitions for the Discipline codes were revised.

#### **Guidance on reporting the data**

- **Please do not report to RIDE infractions that do not result in one of the above disciplinary actions.** Although other types of disciplinary action, such as detentions, may be captured by local data systems, they should not be reported to RIDE.
- **Use Interim Alternative Educational Setting codes sparingly.** These are generally long-term placements (i.e. more than 10 days) of students with disabilities, for serious offenses, involving weapons or controlled substances or those in which serious bodily injury was inflicted upon another person – or if a Due Process Hearing Officer determines that the existing placement is likely to result in injury to the child or others.
- **Use In-School Suspension for alternative education programs other than IAES.** RIDE's definition of in-school suspensions is fairly broad and includes most alternative education programs, such as those that meet the requirements of RIGL §16-21-27. This code includes situations in which students complete school work and/or in which there is a counseling/therapeutic component.
- **No student may be suspended out-of school for truancy or absenteeism, per RI General Laws [§16-19-1](#).** This includes Infraction codes 05, 06, 07, 08, 09, and 40. In-school suspensions are still allowable, though not required, for these infractions.
- **Only include suspensions of one full day or longer.** Sending a student home for part of a day does not officially count as a suspension, so long as no additional days of suspension were added.
- **For suspensions of at least one full day, use whole days and round up.** Suspensions are always reported to RIDE as whole numbers of days and are rounded up. For example, a suspension of 2½ days is considered 3 days.
- **Report each suspension only once and only report one infraction code.** Even if an incident involved more than one infraction (e.g. fighting and weapon possession), for reporting purposes, only report one code to RIDE. If more than one infraction were reported, then it would appear that the student was suspended multiple times. This would also make the school's suspension rate appear higher than it actually is. The exception to this is if a student receives more than one disciplinary action for the same infraction (e.g. a student receives 2 days of in-school suspension and 2 days of out-of-school suspension for assaulting another student). These should be reported as though they were separate incidents.
- **Report the most serious type of infraction.** If the incident involved more than one infraction, code it by the more serious type of Infraction code. For the purposes of this collection, from most serious to least serious, these are:
  1. Violence (codes 03, 04, 10, 18, 24, 25, 26, 27, 29, 35, 42, 43)
  2. Weapon possession (39)
  3. Drugs (13, 15)

4. Alcohol (01)
  5. Non-violent, non-drug/alcohol related criminal activity (02, 20, 30, 37, 38)
  6. Tobacco (36)
  7. Non-violent gang activity (22)
  8. Other violations (05, 06, 07, 08, 09, 12, 16, 19, 21, 28, 31, 32, 34, 40, 41, 44)
- **Choose the most serious code that fits.** If one incident could fit within more than one Infraction code, choose the more serious one (e.g. Assault/Battery instead of Fighting).
  - **Threat of violence is violence.** Threats, intimidation, instilling fear in others, bullying, and harassment are all considered violent acts and should be coded as such.
  - **“Other” is no longer allowed. Consider “Disorderly Conduct” or “Insubordination/Disrespect.”** The list of infractions has been refined several times in the past several years to ensure that all infractions can fit within one of the existing codes. Disorderly Conduct and Insubordination/Disrespect are defined intentionally broadly.
  - **What happened is more important than where it happened.** If an event occurs outside of the regular school building (e.g. on a school bus, on a field trip, or at a school event), code the incident using the type of infraction that occurred (e.g. Alcohol or Disorderly Conduct). Please note that there is no separate Bus Code violation.
  - **Enter infractions into the system on a daily basis.** This is required. The longer after the incident that it is entered into the system, the more likely that there will be an error. Preferably, these should be entered directly into a computer, rather than writing them on paper and then entering them into a computer after the fact.
  - **Double check the infraction code and the length of the suspension.** Switching those numbers is a common mistake.
  - **Rhode Island state law only allows for Suspension, not Expulsion.** If a student is removed for the remainder of the school year, it must be reported as a suspension of a defined length.

### **Other Considerations**

Suspensions, alternative education programs and placements in IAES all represent disruptions from students’ regular educational placement and, in the case of students with an IEP, from their IEP determined placement. LEAS must report all such removals, one day or more in duration, to RIDE and RIDE must report them to the US Department of Education.

LEAs should be aware that special requirements apply under both state and federal law for disciplinary removals of children with disabilities totaling more than ten (10) days cumulatively over the course of the school year. This includes, but is not limited to:

- A plan for continued educational services;

- Determination by the IEP team of the modified setting for the provision of continued educational services, a functional behavioral assessment, behavioral intervention services and modifications, a behavioral intervention plan, and a manifestation determination;
- For removals of more than ten (10) days *consecutively*, additional due process considerations also apply.

LEAs should be aware that RI General Laws [§16-21-27](#) requires districts to develop a plan for alternative education programs to ensure the continued education of students who have been suspended more than 10 days consecutively (or who are chronically truant) and requires that that plan be adopted by the school committee.

LEAs are strongly encouraged to minimize disruptions from students' regular educational placements, while maintaining a safe and positive learning environment, by:

- Implementing strategies to prevent behavior problems;
- Developing alternatives to suspension;
- Treating suspensions as a last resort and avoiding their use for infractions that do not involve violence, weapons, or drugs or otherwise threaten the safety of students and staff;
- Using in-school suspension instead of out-of-school whenever appropriate; and
- Providing high-quality academic instruction, behavioral intervention services, counseling or therapeutic services whenever possible during in-school suspensions and placements in interim alternative educational settings.

District data managers should work with their Student Information System vendors to double check that:

- The Duration is calculated correctly (i.e. weekends and holidays are not included);
- All Infraction codes, Weapon codes, Injury codes, and Discipline codes have been mapped correctly to include changes made in the past few years. This includes:
  - Infraction codes that have been added (40-44)
  - Infraction codes that have been deleted (00, 11, 14, 17, 23, 33)
  - Weapon codes that have been added (B, C, E, M)
  - Weapon codes that have been deleted (O)
  - Injury codes that have been added (M, S)
  - Injury codes that have been deleted (Y)
  - Discipline codes that have been deleted (X, Z)
  - Discipline codes that have been renamed and redefined (C,D,E)